manufacturer, packer, or distributor, and statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear any directions for use.

DISPOSITION: February 8, 1952. Fred G. Hansard having entered a plea of nolo contendere, he was found guilty and was fined $100 on count 1 and $500 on count 2. Sentence was suspended, however, on the remaining 3 counts, and he was placed on probation for 2 years.

Arvil Cravens having entered a plea of guilty, he was sentenced to 5 days in jail and was fined $100 on count 2. Sentence against this defendant was suspended on count 5, and he was placed on probation for 2 years.

3704. Misbranding of dextro-amphetamine sulfate tablets. U. S. v. Ben Ratliff (Ratliff Drug Store), and Charles Abercrombie. Pleas of guilty. Ben Ratliff fined $400 and Charles Abercrombie fined $100. Both defendants placed on probation for 2 years. (F. D. C. No. 31281. Sample Nos. 13368–L to 13372–L, incl.)

INFORMATION FILED: December 5, 1951, Northern District of Texas, against Ben Ratliff, trading as Ratliff Drug Store, at Amarillo, Tex., and Charles Abercrombie, pharmacist.

INTERSTATE SHIPMENT: Prior to the dates of the sales described below, various quantities of *dextro-amphetamine sulfate tablets* were shipped from Philadelphia, Pa., into the State of Texas.

ALLEGED VIOLATION: On February 3, 4, and 6, 1951, while the drug was being held for sale after shipment in interstate commerce, various quantities of the drug were repackaged and dispensed without a physician's prescription, which acts resulted in the drug being misbranded.

Ben Ratliff, as owner of the store, was charged with the violations involved in all counts of the information, and Charles Abercrombie was joined as a defendant in the 2 counts in which the sales were made by him.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drug failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and accurate statements of the quantity of the contents; Section 502 (f) (1), the repackaged drug failed to bear directions for use; and, Section 502 (e) (1), the repackaged drug in one sale failed to bear a label containing the common or usual name of the drug.

DISPOSITION: February 9, 1952. Pleas of guilty having been entered, the court fined Ben Ratliff $100 on each of 4 counts of the information, suspended imposition of sentence on count 5, and placed him on probation for 2 years.

Charles Abercrombie was fined $100 on one of the counts on which he was charged; imposition of sentence was suspended on the second count; and he was placed on probation for 2 years.

3705. Misbranding of dextro-amphetamine sulfate tablets and Amytal tablets. U. S. v. Widder's Pharmacy, Inc., and Abraham Kass and Jacob Kass. Pleas of guilty. Corporation fined $150, Abraham Kass fined $150, and Jacob Kass fined $150, together with costs. (F. D. C. No. 32748. Sample Nos. 9633–L to 9638–L, incl.)

INFORMATION FILED: March 24, 1952, against Widder's Pharmacy, Inc., Chicago, Ill., and Abraham Kass, secretary-treasurer, and Jacob Kass, president of the corporation.

INTERSTATE SHIPMENT: Prior to the dates of the sales set forth below, various quantities of *dextro-amphetamine sulfate tablets* and *Amytal tablets* were shipped in interstate commerce into the State of Illinois.

ALLEGED VIOLATION: On March 14, 15, and 27, and April 4, 5, and 17, 1951, while the drugs were being held for sale after shipment in interstate commerce, the defendants caused various quantities of the drugs to be repackaged and sold without a physician's prescription, which acts resulted in the drugs being misbranded.

The Widder's Pharmacy, Inc., was charged with causing the acts of repacking and sale of the drugs involved in each of the 6 counts of the information; and, in addition, Abraham Kass was charged with the violations involved in 3 counts and Jacob Kass was charged with the violations involved in the remaining counts of the information.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and accurate statements of the quantity of the contents; and, Section 502 (f) (1), the labeling of the repackaged drugs failed to bear adequate directions for use.

Further misbranding, Section 502 (d), the *Amytal tablets* contained a chemical derivative of barbituric acid, which derivative has been found to be, and by regulations designated as, habit forming; and the repackaged tablets bore no label containing the name, and quantity or proportion of such derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

Further misbranding, Section 502 (e) (2), the repackaged *dextro-amphetamine sulfate tablets* failed to bear a label containing the common or usual name of each active ingredient of the drug.

DISPOSITION: April 22, 1952. Pleas of guilty having been entered, the court fined the corporation $25 on each of the 6 counts of the information, and fined both Abraham Kass and Jacob Kass $50 on each of the 3 counts in which they were named as defendants, a total fine of $450, together with costs.

3706. Misbranding of amphetamine phosphate tablets and pentobarbital sodium capsules. U. S. v. Julius H. Wendt (Mutual Drug Store). Plea of nolo contendere. Sentence of 6 months in jail on count 1 and 6 months on each of remaining counts, to run concurrently with sentence on count 1. (F. D. C. No. 31270. Sample Nos. 15993–L, 15996–L to 16000–L, incl.)

INFORMATION FILED: December 11, 1951, Northern District of Oklahoma, against Julius H. Wendt, trading as the Mutual Drug Store, Tulsa, Okla.

INTERSTATE SHIPMENT: On or about September 15, 1950, from St. Louis, Mo., into the State of Oklahoma, of quantities of *amphetamine phosphate tablets* and *pentobarbital sodium* capsules.

ALLEGED VIOLATION: On February 8, 21, and 22, 1951, while the drugs were being held for sale after shipment in interstate commerce, various quantities of the drugs were repacked and sold without a physician's prescription, which acts resulted in the repackaged drugs being misbranded.

NATURE OF CHARGE: Misbranding, Sections 502 (b) (1) and (2), the repackaged drugs failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor, and accurate statements of the quantity of the contents; and, Section 502 (f) (1), the repackaged drugs failed to bear adequate directions for use.